

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : James D. Cook
TITLE : EXPANSION SHELL ASSEMBLY
APPLICATION NO. : 10/822,455
FILED : April 12, 2004
CONFIRMATION NO. : 2908
EXAMINER : Sunil Singh
ART UNIT : 3673
LAST OFFICE ACTION : February 9, 2007
ATTORNEY DOCKET NO. : MTEZ 2 00035-1

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed February 9, 2007 requiring an election of a single disclosed species for further prosecution of the subject application, Applicant elects, without traverse, the shell shown in FIGURE 4a (the slit-type shell) and the support member shown in FIGURE 1a. Applicant submits that claims 33, 43, 46, 49, 50, 53-55, 57, 58, 67, 68, 71, 73-76 and 78 are readable on the elected species, and all but claims 54, 55, 57 and 58 of this group are generic to all species.

As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to species in addition to the elected species, provided that all claims to each additional species are written in dependent form or


otherwise include all the limitations of allowed generic claim as provided by 37 CFR § 1.141.

Applicant retains the right to continue prosecution of the unelected claims in one or more continuation or divisional applications. With respect to the Examiner's comments concerning the restriction, Applicant does not acquiesce to any statements concerning the claims of this application.

In further actions on the merits, a Notice of Allowance is respectfully requested.

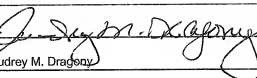
Respectfully submitted,

FAY SHARPE LLP


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April 5, 2007

Date

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being <input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. <input checked="" type="checkbox"/> transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: April 5, 2007	Name: Audrey M. Dragony